

87th Legislative Session – 2012

Committee: Senate Local Government

Wednesday, February 08, 2012

P - Present
E - Excused
A - Absent

Roll Call

P Bradford
P Hunhoff (Jean)
P Lederman
P Nelson (Tom)
P Tieszen
P Holien, Vice-Chair
P Schlekeway, Chair

OTHERS PRESENT: See Original Minutes

The meeting was called to order by Chairman Schlekeway.

MOTION: TO APPROVE THE MINUTES OF FEBRUARY 6, 2012

Moved by: Holien
Second by: Tieszen
Action: Prevailed by voice vote.

SB 75: revise the determination of fees that may be charged for certain public records.

Presented by: Senator Elizabeth Kraus
Proponents: David Bordewyk, SD Newspaper Association
Senator Al Novstrup
Bob Wilcox, SD Association of County Commissioners

MOTION: AMEND SB 75

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On the printed bill, delete everything after the enacting clause and insert:

"

Section 1. That § 1-27-1.2 be amended to read as follows:

1-27-1.2. If a custodian of a public record of a county, municipality, political subdivision, or tax-supported district provides to a member of the public, upon request, a copy of the public record by transmitting it from a modem to an outside modem, a reasonable fee may be charged for such specialized service. Such fee may include a reasonable amount representing a portion of the amortization of the cost of computer equipment, including software, necessarily added in order to provide such specialized service. This section does not require a governmental entity to acquire computer capability to generate public records in a new or different form if that new form would require additional computer equipment or software not already possessed by the governmental entity.

No fee may be charged for any minutes that were recorded in the last three years or for any accounting record in its original format. Any confidential information in the accounting record related to the payroll shall be redacted or password protected."

Moved by: Holien
Second by: Nelson (Tom)
Action: Prevailed by voice vote.

MOTION: DO PASS SB 75 AS AMENDED

Moved by: Nelson (Tom)
Second by: Lederman
Action: Prevailed by roll call vote. (5-2-0-0)

Voting Yes: Hunhoff (Jean), Lederman, Nelson (Tom), Holien, Schlekeway

Voting No: Bradford, Tieszen

HB 1088: revise certain requirements for charging and collecting certain fees for confining certain people in the county jail.

Presented by: Representative Steve Street
Proponents: Lorin Pankratz, SD County Commissioners

MOTION: DO PASS HB 1088

Moved by: Tieszen
Second by: Lederman
Action: Prevailed by roll call vote. (7-0-0-0)

Voting Yes: Bradford, Hunhoff (Jean), Lederman, Nelson (Tom), Tieszen, Holien, Schlekeway

MOTION: PLACE HB 1088 ON CONSENT CALENDAR

Moved by: Lederman
Second by: Nelson (Tom)
Action: Failed by voice vote.

HB 1076: retain certain members of municipal governing bodies in office following the redistricting of municipal wards.

Presented by: Representative Dan Dryden
Proponents: Yvonne Taylor, SD Municipal League

MOTION: DO PASS HB 1076

Moved by: Holien
Second by: Lederman
Action: Prevailed by roll call vote. (7-0-0-0)

Voting Yes: Bradford, Hunhoff (Jean), Lederman, Nelson (Tom), Tieszen, Holien, Schlekeway

MOTION: PLACE HB 1076 ON CONSENT CALENDAR

Moved by: Holien
Second by: Tieszen
Action: Prevailed by voice vote.

HB 1115: exempt certain contracts from the competitive bidding requirements for water user districts.

Presented by: Representative Jamie Boomgarden
Proponents: Margo Northrup, SD Association of Rural Water Systems

MOTION: DO PASS HB 1115

Moved by: Holien
Second by: Lederman

Action: Prevailed by roll call vote. (5-1-1-0)

Voting Yes: Bradford, Lederman, Tieszen, Holien, Schlekeway

Voting No: Hunhoff (Jean)

Excused: Nelson (Tom)

MOTION: ADJOURN

Moved by: Holien

Second by: Lederman

Action: Prevailed by voice vote.

Jeanette Black
Committee Secretary

Todd Schlekeway, Chair